

Zoning Committee Meeting
Tuesday, September 30, 2008

ITEM #1

Application for a Zone Change from Industrial to Residential A for +- 32 acres to build single family homes. Application includes lots described by Chicopee Assessors as parcel 172-11 & parcel 172-9 fronting Nelson St; parcel 146-2 fronting Nelson & Mayflower Sts.

Applicant: Eric Kaiser, 15 Mechanic St., Monson, MA 01057.

ITEM #2

Application for a NEW Home Occupation License located at 56 Ellerton St. for the purpose of making window treatments, draperies, home dec. projects (pillows, etc) and sewing lessons.

Applicant: Marcia O'Donnell, same address.

ITEM #3

Application for a Special Permit under section 275-23 for the purpose of replacing legally nonconforming 6 family unit destroyed by fire to a 4 family unit located at 652 Chicopee St.

Applicant: Christine Mariani, 22 Homestead St., Palmer, MA 01069.

ITEM #4

Application for a Special Permit under section 275-52 for the purpose of erecting a second pylon sign adjacent to McKinstry Avenue located at 1176 Granby Rd.

Applicant: Matt Wozniak, 80 Montvale Ave, Suite 201, Stoneham, MA 02180.

ITEM #5

Application for a Special Permit under section 275-52 for the purpose of parking facilities located at 1176 Granby Rd.

Applicant: Matt Wozniak, 80 Montvale Ave, Suite 201, Stoneham, MA 02180.

ITEM #6

ORDERED THAT the Special Permit granted to Dmitriy Salagornik and Greylock Investment Group at 376 A Chicopee Street be called in before the Zoning Committee. (For clarification of corporate paperwork and structure)

ITEM #7

Minutes – July 29, 2008



CHICOPEE BOARD OF ALDERMEN
ZONING COMMITTEE

ACCEPTED 10-28-08

MEMBERS

Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
James Tillotson
George Moreau
John Vieau
Fred Krampits
Donald Demers

MINUTES
September 30, 2008

The following are the minutes of a public hearing held Tuesday, September 30, 2008 at 6:30 PM in the Aldermanic Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Croteau, Brunetti, Tillotson, Demers, Krampits, Moreau (left at 7:15 to return to neighborhood meeting)

Absent: Vieau

Also Present Kate Brown (Planning Director), Dan Garvey (City Solicitor), Alderman Swider, Alderman Brooks

The meeting was called to order at 6:30 PM

ITEM #1 Application for a Zone Change from Industrial to Residential A for +-32 acres of property located at the end of Nelson Street for the purpose of building single family homes.

Applicant Erik T. Kaiser
15 Mechanic Street
Monson, MA 01057

Mr. Kaiser and his attorney Bart Heemskerk, 75 Market Place, Springfield, MA were present at the meeting.

Attorney Heemskerk stated that the proposed plan is in the preliminary stages. The proposal is for 16 single family homes. He also stated that the Planning Board voted favorably for the Zone Change request.

PUBLIC INPUT

- Ernest LaPierre, 76 Nelson Street – stated that he is opposed to this Zone Change. He said the proposed site is wetland, it would disrupt the neighborhood and the area is already crowded.
- Louis Plante, 49 Parkwood Drive – he stated that he is opposed to this Zone Change. He stated that Nelson Street is a boulevard with speeding up and down the street at all hours of the day. He also stated that this applicant submitted a zone change request 3.5 years ago and withdrew it and now he is back.

- Laurene Mailloux, 36 Acker Circle – she is opposed to this zone change request. She stated that the proposed area is a mud pit. Homes in this area have sump pumps. This is not the only vacant area in this neighborhood because Grandview Farms also have a lot of land. She stated that there should be some green space in the city not just homes.
- John Oliveira, 57 Parkwood Drive – he is opposed to this petition. He questioned whether the current sewer system will accommodate additional homes. There are many homes in this area that experience water in their basements.
- Lois Prescott, 75 Mayflower Avenue – is opposed to this petition. She stated that she feels that when the attorney's speak about what is allowed under the current zoning it sounds like the petitioner is threatening the neighbors. She stated that the area in question is a sink hole.
- Barbara Benoit, 27 Parkwood Drive – is opposed to this petition. She questioned at what point during this process do we hear from the Conservation Commission regarding wetlands.
- Steven Joslyn, 171 Nelson Street – is opposed to this petition. He stated that Nelson Street is very narrow and does not have sidewalks for pedestrians.

Attorney Heemskerk stated that the Committee should consider whether this property should be spot zoned. The other issues that were raised by abutters are worked out in the Subdivision Control hearings. He further stated that this committee should only consider the zoning issue.

Alderman Brooks stated there are currently 2 tractor trailers parked on Nelson Street. He also stated that neighbors have a right to voice their concerns.

Alderman Tillotson stated that he feels this proposal is the lesser of two evils. He has some concerns with the Mayor making statements that appear in the newspaper that he will veto the Board of Aldermen's decision if they vote to approve the Zone Change. He feels that perhaps the committee should table this matter and get reports from Conservation, Water, Sewer, CELD.

Alderman Swider also stated that he would like to see this matter tabled and reports received from various departments.

Motion made by Alderman Tillotson to table. Motion passed. 5 in favor of tabling 1 opposed.

Voting to Table – Moreau, Brunetti, Krampits, Tillotson, Demers

Voting not to table – Croteau

ITEM #2 Application for a New Home Occupation License located at 56 Ellerton Street for the purpose of making window treatments, draperies, home dec projects (pillows etc) and sewing lessons.

Applicant Marcia E. O'Donnell
 Added Touch Sewing
 56 Ellerton Street
 Chicopee, MA 01020

Marcia O'Donnell was present at the meeting. She stated that she works mostly with Interior Decorators and sews various curtains, valances, etc. She has recently moved back into the area but prior to her departure she lived in this neighborhood and is aware of the traffic concerns. She does not expect to have customers come to her home. She would mostly go to the persons home to measure. Occasionally there might be someone who would come to her residence.

PUBLIC INPUT

- Barbara Pajak, 88 Ellerton Street – stated that she opposes this application because it would bring additional vehicles to this street.
- MaryEllen Channing, 55 Otis Street – stated that she opposes this application because it would create more vehicles. The street is already used as a cut through from Front Street to Lincoln Grove Park and Broadway. Drivers speed up and down the street all day and especially when CHS is in session.
- Robert Pajak, 88 Ellerton Street – stated that he opposed the application because he would like his neighborhood to remain residential.

Ms. O'Donnell stated that the sewing lessons would only be for one student at a time because she only has the one sewing machine.

RESTRICTIONS

1. No more than 1 student at a time for lessons
2. Encourage off street parking

Motion made by Alderman Demers to approve.

Committee vote 4 – 1 favorable.

Voting to approve Demers, Krampits, Brunetti, Croteau

Voting to deny Tillotson

ITEM #3 Application for a Special Permit under section 275-23 for the purpose of replacing legally nonconforming 6 family unit destroyed by fire to a 4 family unit located at 652 Chicopee Street.

Applicant Christine Mariani
22 Homestead Street
Palmer, MA

Christine Mariani was present at the meeting. She stated that she purchased this property in July and in August it burnt down. In order to rebuild it would have to be converted to a 4 family home. Her intention is to sell the land and let the buyer build on it.

Michelle Ayala, 650 Chicopee Street stated that she has concerns regarding this property. She would not want to see children who are not taken care of living in this home because she lives next door. She was also concerned about the driveways being very close to her property.

The committee informed Ms. Ayala that they have no control of who lives in the home.

RESTRICTIONS

1. Must conform to Fire Department regulations
2. Sprinkler system
3. Driveway on both sides
4. Permit runs with the land
5. Limited to a maximum of 4 units (4 family)
6. Must provide at least 2 parking places off street per unit

Committee vote 5 – 0 favorable.

ITEM #4 Application for a Special Permit under section 275-52 for the purpose of parking facilities located at 1176 Granby Road.

Applicant Matt Wozniak
80 Montvale Avenue, Suite 201
Stoneham, MA 02180

ITEM #5 Application for a Special Permit under section 275-52 for the purpose of erecting a second pylon sign adjacent to McKinstry Avenue located at 1176 Granby Road.

Applicant Matt Wozniak
80 Montvale Avenue, Suite 201
Stoneham, MA 02180

Committee members decided to hear both applications at the same time since they deal with each other.

Matt Wozniak and Gary McCoy were present at the hearing.

The application is proposing 20 additional parking spaces. Entrance and exit unto McKinstry Avenue.

Aldermen expressed their concern with this proposal because of the existing traffic build up on McKinstry Avenue. This additional curb cut would create an even bigger problem. They are also concerned about this creating a cut through for drivers from Montgomery to McKinstry and vice versa.

Committee vote 4 unfavorable 1 favorable.
Voting Unfavorable Demers, Krampits, Brunetti, Tillotson
Voting in favor Croteau

Sign

The proposed sign would be facing McKinstry Avenue. It only lights up the name of the store.

Committee vote 3 favorable, 2 unfavorable.
Voting in favor Croteau, Krampits, Brunetti
Voting unfavorable Demers, Tillotson

ITEM #6 ORDERED THAT the Special Permit granted to Dmitriy Salagornik and Greylock Investment Group at 376A Chicopee Street be called in before the Zoning Committee.

Alderman Croteau read the following letter from Mr. Salagornik:

9-30-08

To Whom It May Concern:

Before hand, I would like to apologize for the inconvenience and short notice of the following changes. Circumstances have changed and for this reason, I, Dmitriy Salagornik, am no longer in need of a Special Permit for Greylock Investment Group at 376A Chicopee Street in Chicopee, MA. The hearing is scheduled today, Tuesday, the 30th of September. Again, I apologize for any inconvenience. Thank you. Dmitriy Salagornik

This letter has been notarized by Janina Surdyka.

Motion made to revoke the Special Permit.

Committee vote 5 – 0 favorable to revoke.

ITEM #7 Minutes – July 29, 2008
Motion made to accept. Motion passed.

Meeting adjourned at 8:30 PM.